

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	CIVIL ACTION
	:	
Plaintiff,	:	02-CV-4990
	:	
v.	:	
	:	
NANCY J. MESSINA,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this day of September, 2002, upon
consideration of the Plaintiff's Motion for Default Judgment, it
is hereby ORDERED that the Motion is DENIED WITHOUT PREJUDICE.¹

BY THE COURT:

J. CURTIS JOYNER, J.

¹ Plaintiff seeks default judgment because Defendant has failed to file a timely answer to the Complaint. However, it appears to the Court that no return of service was filed. Without proper proof of service within the Federal Rules of Civil Procedure, this Court denies without prejudice Plaintiff's Motion for Default Judgment. See Fed. R. Civ. P. 4(1). Plaintiff may re-file the Motion for Default Judgment with proper proof of service.